IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 33488 of 1997

Between:

Harijana Jaibharat Labour Contract Cooperative Society

Rep by its president Yedulla Sailoo
Nampalli village & mandal Nalgonda dist

..... PETITIONER

AND

1 The Superintendent, Engineer
Panchayatraj Nalgonda
2 The Executive Engineer
Panchayatraj Nalgonda
3 The Superintendent, Engineer, R & B,
Balkampet, Hyderabad
4 The Executive Engineer, R&B
Nalgonda
5 The Superintendent, Engineer I&CAD,
Red Hills, Hyderabad.
6 The Executive Engineer IB Division,
Nalgonda

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ or Order or Direction, one in the Nature of Writ of Mandamus, i) Declaring the action of the Respondents in Insisting the Petitioner for Payment of EMD to the works, Tax Clearance Certificate and Experience Certificate for issuance of Tender Schedules for the works Notified by them, as arbitrary, illegal and violative of Art.14 and 19(i)(g) of the Constitution; and the same is liable to be set aside; ii) costs be awarded to the Petitioner.

Counsel for the Petitioner: MR.B.MAHENDER REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ

The Court made the following:

ORDER:

The present writ petition is filed seeking to issue a writ of Mandamus declaring that the action of the respondents in insisting the petitioner for payment of Earnest Money Deposit to the works, and production of Tax Clearance Certificate and Experience Certificate for issuance of tender schedules for the notified works is illegal and arbitrary.

This Court, while issuing notice before admission, on 16.12.1997, granted interim direction not to insist the petitioner for payment of the Earnest Money Deposit, and production of Tax Clearance Certificate and Experience Certificate for issuance of tenders for the works notified.

Today, when the case is taken up for hearing, the learned counsel for the petitioner called absent. Learned Government Pleader for Panchayat Raj appearing for the respondents submits that in view of the interim direction granted by this Court earlier, no further orders are required to be passed in the writ petition as the same has become infructuous.

Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

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06.04.2005

dr/tvr

Copy to

1 The Superintendent, Engineer
Panchayatraj Nalgonda
2 The Executive Engineer

Panchayatraj Nalgonda

3 The Superintendent, Engineer, R & B,
Balkampet, Hyderabad

4 The Executive Engineer, R&B
Nalgonda

5 The Superintendent, Engineer I&CAD,
Red Hills, Hyderabad.

6 The Executive Engineer IB Division,
Nalgonda

7 2 CCs to Government Pleader for Panchayat Raj,

High Court Buildings, Hyderabad. (OUT)

8 2 CD copies.